

AMENDED IN SENATE APRIL 21, 2014

AMENDED IN SENATE APRIL 2, 2014

**SENATE BILL**

**No. 1194**

---

**Introduced by Senator Hueso**

February 20, 2014

---

An act to add Section 42358.1 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1194, as amended, Hueso. Solid waste: plastic products.

Existing law prohibits the sale of a plastic product labeled as "compostable," "home compostable," or "marine degradable" unless it meets a certain specification, certification, or standard, and prohibits the sale of a plastic product that is labeled as "biodegradable," "degradable," "decomposable," or as otherwise specified. The term "plastic product" is defined for purposes of these prohibitions, and local agencies and the state are authorized to impose civil liability for a violation of those requirements.

This bill would require each manufacturer ~~and wholesaler~~ of plastic products, *as defined*, ~~to establish~~ *include specified information in either an Internet Web site that is available to the public and that provides information regarding the annual amount, by pound and type, of plastic products that are imported, manufactured, recycled, or reused in this state by that manufacturer or wholesaler. or as part of a specified annual report, with regard to whether the manufacturer has established a sustainability policy or has established or implemented goals to reuse, recover, and reduce the use of plastic.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 42358.1 is added to the Public Resources Code, to read:

42358.1. (a) For purposes of this section, the following definitions shall apply:

(1) “Manufacturer” means a person who manufactures plastic products for sale in this state *and whose annual aggregate gross proceeds is not less than one hundred million dollars (\$100,000,000).*

(2) “Sale” means the sale of a plastic product in a transaction that is not a retail sale, as defined in Section 6007 of the Revenue and Taxation Code.

~~(3) “Wholesaler” means a person that purchases a plastic product for sale in this state.~~

~~(b) Each manufacturer and wholesaler shall establish an Internet Web site that is available to the public and that provides information regarding the annual amount, by pound and type, of plastic products that are imported, manufactured, recycled, or reused in this state by that manufacturer or wholesaler. include all of the following information in a report that is posted on an Internet Web site that is available to the public or as part of the report required by Section 1501 of the Corporations Code:~~

~~(1) Whether the manufacturer has adopted a sustainability policy, and if so, the elements of that policy.~~

~~(2) Whether the manufacturer has established goals to reuse, recover, and reduce the use of plastic in its products, and if so, a description of those goals.~~

~~(3) If the manufacturer has implemented goals to reuse, recover, and reduce the use of plastic in its products as part of a sustainability policy, its progress in meeting those goals.~~